

Supreme Court of the State of New York  
Appellate Division: Second Judicial Department

D34865  
H/kmb

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REINALDO E. RIVERA, J.P.  
JOHN M. LEVENTHAL  
SHERI S. ROMAN  
JEFFREY A. COHEN, JJ.

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1998-01408

DECISION & ORDER

The People, etc., respondent,  
v Robert Burks, appellant.

(Ind. No. 4552/96)

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Robert Burks, Auburn, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Ruth E. Ross of counsel), for respondent.

Application by the appellant for a writ of error coram nobis to vacate, on the ground of ineffective assistance of appellate counsel, a decision and order of this Court dated May 15, 2000 (*People v Burks*, 272 AD2d 476), affirming a judgment of the Supreme Court, Kings County, rendered February 3, 1998.

ORDERED that the application is denied.

The appellant has failed to establish that he was denied the effective assistance of appellate counsel (*see Jones v Barnes*, 463 US 745; *People v Stultz*, 2 NY3d 277).

RIVERA, J.P., LEVENTHAL, ROMAN and COHEN, JJ., concur.

ENTER:

  
Aprilanne Agostino  
Clerk of the Court

May 8, 2012

PEOPLE v BURKS, ROBERT